



NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

STAFF REPORT

PLANNING & ZONING

HEARING DATE: August 20, 2015
CASE#: 15-07
ACTION: Special Use Permit
PROJECT NAME: Cyclone/AZ3 Hwy 260 Site #AZ11-044

PARCEL INFORMATION:

Owner/Applicant: Queen Creek Estates LLC / Sun State Towers/ Verizon
Location: 2161 Camperland Road, Clay Springs AZ 85923
APN: 208-03-016B
Legal Desc: A portion of Section 11, Township 11N, Range 18E of the Gila and Salt River Meridian.
District: IV
Parcel Size: 20 acres

REQUEST: Queen Creek Estates / Sun State Towers is requesting a Special Use Permit on behalf of Verizon Wireless, to allow for installation of a 199' lattice Cellular Tower, and 12X26' Equipment shelter, in a 50' x 50' compound.

GENERAL CHARACTER OF NEIGHBORHOOD: This parcel and the surrounding area is primarily used for agricultural purposes.

ZONING DISTRICTS:

Current: A-General

Article 3
Section 301 - Purpose.

The main purpose of this A-General Zone is to provide for all the unincorporated area of the County, except land within the boundary of a reservation and outside the authority of Navajo County not otherwise designated for some other specific zone, to be included in the "A-General Zone", by this Ordinance. No subdividing shall be conducted or approved in the "A-General Zone", without prior re-zoning of the land so intended. Uses permitted in the "A-General Zone", include farm and non-farm residential uses, farms, recreational, institutional, commercial and industrial uses as specifically listed in this Article. **Other uses may be permitted as Special Uses under Article 20.**

ZONING ORDINANCE:

Article: 20 – Special Uses and Planned Unit Development

Section: 2001 – Special Uses

2001.33 - Television, wireless towers, and radio transmitter towers and stations, subject to approval by Federal Regulatory Agencies.

FINDINGS OF FACT:

1. The legal notice for this item has been printed in the Holbrook Tribune and placards were posted in the neighborhood, in compliance with Arizona Revised Statutes and Article 29.
2. The applicant has submitted the plans and supporting statement required by Section 2002(1).
3. The proposed use is one for which a Special Use Permit may properly be granted pursuant to Section 2001(31): "Television, wireless towers, and radio transmitter towers and stations, subject to approval by Federal Regulatory Agencies".
4. Staff has reviewed the submitted materials, site plans and related exhibits in accordance with the Navajo County Zoning Ordinance requirements for a Special Use Permit. Staff finds that the submitted documentation conforms to the requirements of the Ordinance and the promotion of the health, safety and welfare of the public.

PUBLIC COMMENTS & CONCERNS:

As of the date of preparation of this staff report, 0 comments in favor and 0 opposed have been expressed by the public.

DEPARTMENT COMMENTS:

COUNTY ATTORNEY'S OFFICE: There are no legal issues at the present time with this Special Use Permit as long as all local, County, State and Federal laws and regulations are adhered to.
Initial B.C

ENGINEERING COMMENTS: No objections to the proposed land use as long as all conditions listed below are met.

Initial: B.B.

FLOOD CONTROL COMMENTS: No objections to the proposed land use as long as all

condition listed below are met.

Initial: B.B.

PLANNING & ZONING DEPARTMENT: The owners of this property have leased a portion of the site to Sun State Towers-Cyclone to install a cellular tower contingent on the approval of this Special Use Permit. Staff has reviewed all the applicants' materials and found they are in order and ready for action by the Commission.

Initial: P.S.

PUBLIC WORKS RECOMMENDATION: Should the Commission approve this Special Use Permit, staff recommends the following conditions be applied:

1. The Special Use Permit shall permit 1 wireless communication tower, not to exceed 199 feet in height, and accessory structures necessary for the operation of the tower on the subject property.
2. The permitted Special Use shall be allowed to occur only in the location shown on the approved site plan.
3. The Special Use Permit shall run with the land.
4. The applicant shall obtain a Building Permit from Navajo County for such tower prior to commencing construction.
5. Security fencing may be used to protect the equipment and will be at the discretion of the owner.
6. The applicant must meet all State and Federal requirements concerning communication towers prior to any building permits being issued. The tower design is less than 200 feet in height and therefore does not require lighting per FAA guidelines.
7. If the permitted Special Use is not utilized within a twelve (12) month period from the date of approval by the Board of Supervisors, this permit shall become null and void.
8. If the tower is no longer being utilized the property owner shall cause, at his expense, the removal of all components of this tower within a 90-day period.
9. The Owner shall provide all reasonable cooperation to other public and private users who may be interested in co-location on this tower and shall consider such co-location upon commercially reasonable terms, unless such co-location is not technically feasible.
10. Should the operator decide to abandon the use of the tower, they shall notify Navajo County Planning & Zoning, that the tower is no longer being used.



NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

PLANNING & ZONING

Post Office Box 668 - 100 East Code Talkers Drive

Holbrook, Arizona 86025

(928) 524-4100 FAX (928) 524-4122

www.navajocountyaz.gov

SPECIAL USE PERMIT APPLICATION

(also to be used for an Amendment to an approved/existing Special Use Permit)

SITE & PROPOSAL INFORMATION:

PROJECT NAME: Sun State Towers Cyclone

PROPOSED USE OF PROPERTY: 199' Lattice Tower and 12' x 26' shelter in 50' x 50' compound
Television, wireless towers, and radio transmitter towers and stations,

SPECIAL USE CATEGORY: subject to approval by Federal Regulatory Agencies

LOCATION (include nearest town/community): South of Aripine Between Overgaard and Claysprings on Hwy
260

GENERAL DIRECTIONS TO PARCEL: From Holbrook take 377 to 277 to Heber/Overgaard. Take Hwy 260 east for
approx 11 miles to MM 317. Continue past Sunrise Resort. Immediately after bridge go left on Forest Rd. Site
on left. It is about 1,000' east of the Sunrise Resort.

ADDRESS (if known): 2161 Camperland Rd, Clay Springs, AZ 85923

PROPERTY SIZE: 20 acres; N/A square feet

LEGAL DESCRIPTION: Township 11 North, Range 18 East, Section(s) 11

ASSESSOR PARCEL NO.: 208-03-016B

SUBDIVISION NAME: N/A LOT #: N/A

PRESENT USE OF PROPERTY: Undeveloped land

CURRENT ZONING: A

PROPOSED ZONING: No Change

OWNER & CONTACT INFORMATION:

OWNER'S NAME: Nevada Properties LLC

OWNER PHONE NO.: (602) 549-6632 FAX #: _____

OWNER EMAIL ADDRESS: erick@elmlandscaping.net

OWNER MAILING ADDRESS: 27954 N Adrenaline Ave

CITY: San Tan Valley STATE: AZ ZIP CODE: 85142-7832

DATE OF OWNERSHIP: 8/12/2013

CONTACT NAME: Reg Destree

COMPANY NAME: Destree Development, LLC

CONTACT PHONE NO.: (602) 349-6930 FAX #: _____

CONTACT EMAIL ADDRESS: destreedevlopment@gmail.com

CONTACT MAILING ADDRESS: 22831 N. 21st St

CITY: Phoenix STATE: AZ ZIP CODE: 85024

OWNER'S AFFIDAVIT:

Please see attached Letter of
Authorization from Property Owner

I, (print name) _____, being duly sworn, depose and say that I am the owner of the property involved in this application and that the information herewith submitted is true and correct to the best of my knowledge.

Owner's Signature

STATE OF _____)
COUNTY OF _____) SS

Sworn and subscribed before me on this _____ Day of _____, 20_____

Notary Public

My Commission Expires

For Staff use only:

Accepted by: _____ Date: _____

Submittal Approved: _____ Date: _____

Fee: _____

Case #: _____

Planning Commission: _____ Action: _____

Board of Supervisors: _____ Action: _____

Notes / Stipulations: _____

LETTER OF AUTHORIZATION

APPLICATION FOR ZONING/BUILDING PERMITS/LAND USE ENTITLEMENTS

Site Number: AZ3 Hwy 260

Property Address: 2161 Camperland Rd, Clay Springs, AZ 85923

Assessor's Parcel Number: APN 208-03-016B

I Erick Morrow, Member of Queen Creek Estates, LLC, the owner of the above described property, authorize Reg Destree, and/or Sun State Towers, their employees, representatives, agents, and/or consultants, to act as an agent on my behalf for the sole purpose of consummating any building and land-use permit applications, or any other entitlements necessary for the purpose of constructing and operating a wireless telecommunications facility. All costs of such entitlements shall be paid by Sun State Towers. I understand that any application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

Erick Morrow, Member of Queen Creek Estates, LLC, authorize Navajo County to enter and inspect the wireless telecommunications facility.

I further understand that signing of this authorization in no way creates an obligation to Lease of any kind.

Signature of Property Owner By: _____

Name: Erick L Morrow

Title: _____

Date: 8/12/2015

PROJECT NARRATIVE

FOR

Sun State Towers—AZ11-044 Cyclone (Verizon AZ3 Hwy 260)

Sec 11, T11N, R18E
2161 Camperland Rd
Clay Springs, AZ 85923
APN: 208-03-016B
Jurisdiction: Navajo County
Zoning: A-General



Submitted by:
Reg Destree
Destree Development
22831 N. 21st St
Phoenix, AZ 85024
602-349-6930 (mobile)
destreedevlopment@gmail.com

April 23, 2015

Purpose of Application

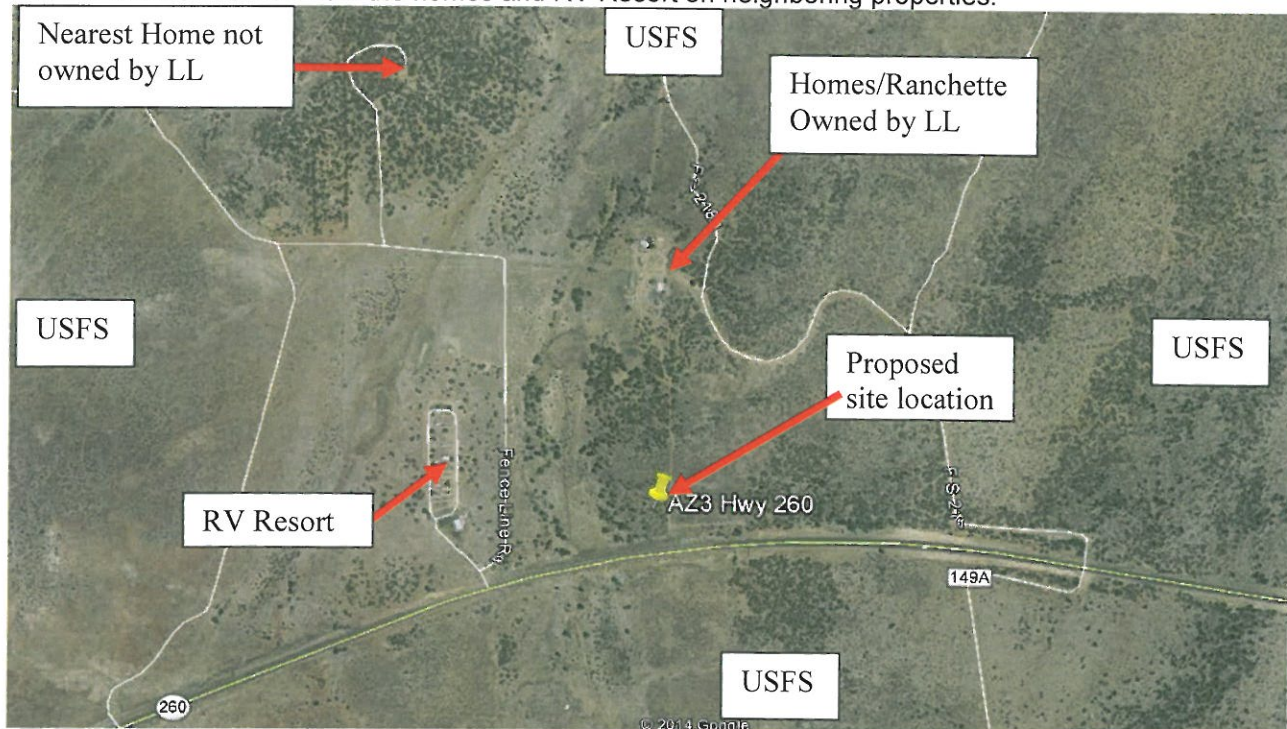
Sun State Towers is an Arizona tower development company that works with various wireless carriers to build multi-tenant structures to help fill gaps in carrier's networks. As part of its effort to improve its network in Navajo County, Verizon Wireless has requested that Sun State develop a new wireless telecommunications facility just east of the Sunrise Resort RV Park, south of the community of Aripine. The site is located about halfway between Overgaard and Clay Springs along Highway 260. This site will fill coverage gaps in Verizon's network along Highways 260 and 277 and greatly improve coverage for Aripine. Sun State towers will also actively make the site available for collocation to any other carriers interested in improving their coverage in this area.

Due to the topography in the area and distance to the two nearest sites, there are coverage gaps for several miles along Highways 260 and 277 and in Aripine for most carriers. This proposed new wireless facility site will help part-time and year-round residents in Aripine as well as travelers along Highways 260 and 277. The site is proposed on private land near Highway 260. This area currently consists of only a few privately owned parcels amongst National Forest.

Site Description

The subject parcel is a 20 acre parcel of land that was acquired by Nevada Properties LLC in 2013. It is part of a larger 40 acre acquisition they consummated which includes several homes and parcels north of this one. The parcel is bordered by: Sunrise RV Resort to the west; a ranchette owned by our landlord to the north; National Forest to the east and Hwy 260 to the south. There is only one home built in this area other than those owned by our landlord. That home is about 3,000' northwest of this site. The RV Resort about 1,000' west of this site does have part-time residents as well.

The proposed location is near the southeast corner of the parcel and about 200' north of Hwy 260. This location was selected as it has elevation to maximize coverage, has good access to Highway 260 and is the furthest location from the homes and RV Resort on neighboring properties.



Site History

Verizon Wireless has been looking to place a site in this area for the last several years. Due to topography, the two nearest sites are not able to cover this stretch of Highway 260 or the associated portion of Highway 277 north of this site. Accordingly, Verizon has been working to establish a site in this area for a couple of years. Many of the guests at the Sunrise RV Resort rely on the wireless networks for cell phone service and internet connectivity as do travelers along the highway and residents in Aripine. Initially, the search ring was two miles west of this proposed site. Due to the remote nature of this site and underlying USFS land ownership in that area the ring was shifted last year to this vicinity. Due to a reallocation of resources, Verizon Wireless handed this site over to Sun State Towers for final development.

I have actually been working on this site from its inception with Verizon and am representing Sun State Towers at the request of Verizon. Upon receipt of the search ring, I began exploration of the area looking for locations that would work to fill this coverage gap. Generally I look for any existing verticality in an area as well as available governmentally owned property as my initial candidates. Neither of those options existed anywhere near this area. I then focused my search on developed properties. The two largest parcels in this area were the RV Resort and this proposed location. The parcel with the home northwest of this site was for sale during the search phase and their broker indicated they were not interested in leasing space on their 10 acre parcel. The RV Resort and this proposed location were considered as candidates. This location was selected as the primary candidate due to higher elevation.

Thereafter, we designed the site, produced site plans, approached staff regarding approval of the location, and submitted an application which has now been transferred to Sun State Towers.

It should be noted that in 2001 a tower was actually proposed on this parcel at a lower elevation down by the wash. That site was much closer to the neighboring properties to the west. This parcel is ideally located between existing towers on the east side of Overgaard and east of Clay Springs; that is why this location was targeted in 2001 and why it is being proposed again. Attitudes toward facilities such as this have shifted significantly since then as reliance on wireless networks has increased exponentially.

Description of Proposal

The proposed site development includes initial placement of 12 panel antennas and several microwave dishes for use by Verizon Wireless on a new 199' lattice tower. The panel antennas are used for coverage to communicate with phones and data devices. The microwave dishes are used to provide backhaul to the site, as there is not sufficient phone or fiber service in this area. The 199' height is needed to get signal over the surrounding hills along Highway 260 to the east and west. This height will also maximize the viability of collocation and allow the site to fill in the gap between the sites in Overgaard and Clay Springs. Future collocators would place additional panel antennas and likely a microwave dish on the tower.

The proposed tower is: 200' from the south property line which is ROW for Hwy 260; 75' from the east property line which is National Forest; 884' from the RV Resort property to the west and 630' from the north property line which is owned by the same landlord as this proposed site.

The Verizon Wireless radio equipment will be secured in a State-approved, pre-manufactured shelter (12' x 26'). Future carriers would either have a similar shelter or outdoor equipment cabinets. The ground equipment will be enclosed within a 50' x 50' compound surrounded by a 6' chain-link fence with three strands of barbed wire for security. Access to the site will be via a new gravel driveway directly from the adjacent ADOT ROW.

Based on current timelines this site is expected to be built in late 2015 or early 2016. Sun State Towers anticipates this site will have 2-3 tenants within 5 years. Construction will take about 45 days.

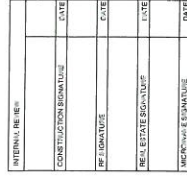
Once complete, the site will be visited approximately once per month for maintenance. This site is unoccupied and does not involve water or sewer. There will not be any changes to existing watercourses or any impact on off-site discharge of rainwater.

Conclusion

This proposal meets the letter and intent of the Navajo County Zoning Ordinance. Therefore, Sun State Towers is requesting a Special Use Permit for this proposed multi-carrier wireless telecommunications site for the maximum length of time available. This site will benefit residents in this area, travelers along Highways 260 and 277 as well as visitors and emergency service providers.



SITE NAME: CYLCONE/AZ3 HWY 260
SITE NUMBER: AZ11-044

4875 E INDIGO CT., #104 MESA, AZ 85205
 PHONE: 480.301.4413 FAX: 480.301.4413

THESE DRAWINGS ARE COPYRIGHTED AND THE PROPERTY OF BK DESIGN INC AND PRODUCED SOLELY FOR THE USE OF OUR CLIENT. ANY REPRODUCTION OR USE OF THE INFORMATION CONTAINED WITHIN SAID DRAWINGS IS PROHIBITED WITHOUT WRITTEN CONSENT BY BK DESIGN INC.

PROJECT NUMBER	DRAWN BY	CHKD BY
14506	RD	BK

REVISIONS		
A	06/25/14	ISSUE TO CLIENT
A	07/01/14	ISSUE FOR SUBMITTAL
A	06/10/15	DESIGN CHANGE

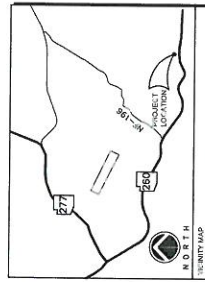


<div> <div>SHEET INDEX</div> <div> <ul style="list-style-type: none"> 1-1 PROJECT INFORMATION AND DATA 1-2 SITE PLAN 2-1 OVERALL SITE PLAN 2-2 ENHANCED SITE PLAN AND ANTENNA PLAN 2-3 SITE ELEVATIONS </div> </div>	<div> <div>CARROT</div> <div> <p>SUGARCREST TOWERS 10000 W. 11TH AVE. SUITE 100 DENVER, AZ 85233 PHONE: (602) 442-1514</p> <p>PROPERTY OWNERS RENOVA PROPERTIES, LLC SUN TAN VALLEY, AZ 85142-7812 PHONE: (602) 349-4832</p> <p>SITE ACQUISITION BENJAMIN TAYLOR SERVICES 2001 E. CAMBERG AVE. SCOTTSDALE, AZ 85251 PHONE: (602) 349-6930</p> <p>DESIGNER DR. VERNER INC. 3100 N. 3RD AVE. SUITE 100 DENVER, CO 80202 CONTACT: AUSTIN GONTER/OWENS PHONE: (303) 699-5867</p> <p>SALESMAN BEE CONSULTING, LLC 1214 N. STROUD DR. DENVER, CO 80202 CONTACT: KIM TOLLER PHONE: (404) 511-5688</p> <p>THWACKS</p> </div> </div>
---	---

PROJECT DATA	LESSOR	VERIZON WIRELESS	PROJECT DESCRIPTION
APN:	APN:	4014 208-03-0149	THIS PROJECT CONSISTS OF THE PLACEMENT OF PROPOSED EQUIPMENT CABINETS AND PROPOSED VERIZON WIRELESS EQUIPMENT CABINETS ON NEW LATITE TOWER ALL WITHIN A NEW SECURED COMPOUND.
ZONING:	JURISDICTION:	NALAO BIC	DEVELOPMENT AND CONSTRUCTION OF THIS PROJECT WILL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
BUILDING CODE:		A-GENERAL	THIS PROJECT DOES NOT INCLUDE WATER OR SEWER.
		2008 IBC	THIS PROJECT INCLUDES PERMANENT TELEPHONE AND ELECTRICAL CONNECTIONS.
		2009 NEC	EXISTING PARKING IS NOT AFFECTED BY THIS PROJECT.
		2009 IRC	
		2008 IPC	
			PROJECT UTILITIES
			● POWER COMPANY:
			● TELEPHONE COMPANY:

NOTE DIRECTIONS

FROM 126 W. GEMINI DR., TAMPA - TURN RIGHT (SOUTH) ONTO S MAPLE AVE. TURN LEFT (EAST) ONTO (M) GUADALUPE RD. KEEP STRAIGHT ONTO (E) GUADALUPE RD. TURN LEFT (NORTH) ONTO S FIVE RD. TAKE RAMP (LEFT) ONTO SR-101 LOOP (PRICE Fwy 4.2 MI). MERGE ONTO SR-202 LOOP (RED MOUNTAIN PWAY) [3.2 MI]. MERGE ONTO SR-87 (N. COUNTRY CLUB DR.) [73.6 MI]. TURN RIGHT (EAST) ONTO SR-210 [64.7 MI]. WHILE AFTER PASSING CAMPERLAND RD., TURN ROAD AND RAMP LEFT ONTO SR-210. TURN LEFT ONTO SR-210. ROAD AND SITE WILL BE ON THE LEFT. HAVE SIGN FOR THE SITE.



CYLCONC/AZ3
HWY 260
AZ11-044

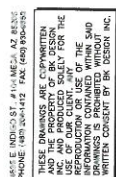
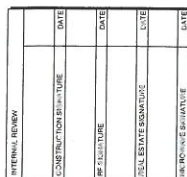
SITE ADDRESS
2161 CAMF
CLAY SPRING

SHEET TITLE

PROJECT INFORMATION AND DATA

SHEET NUMBER

四



PROJECT NUMBER	DRAWN BY	CHKD BY
4059	FIG	BK

REVISIONS	
06/25/14	ISSUE TO CLIENT
07/01/14	ISSUE FOR SUBMITTAL
06/10/15	DESIGN CHANGE

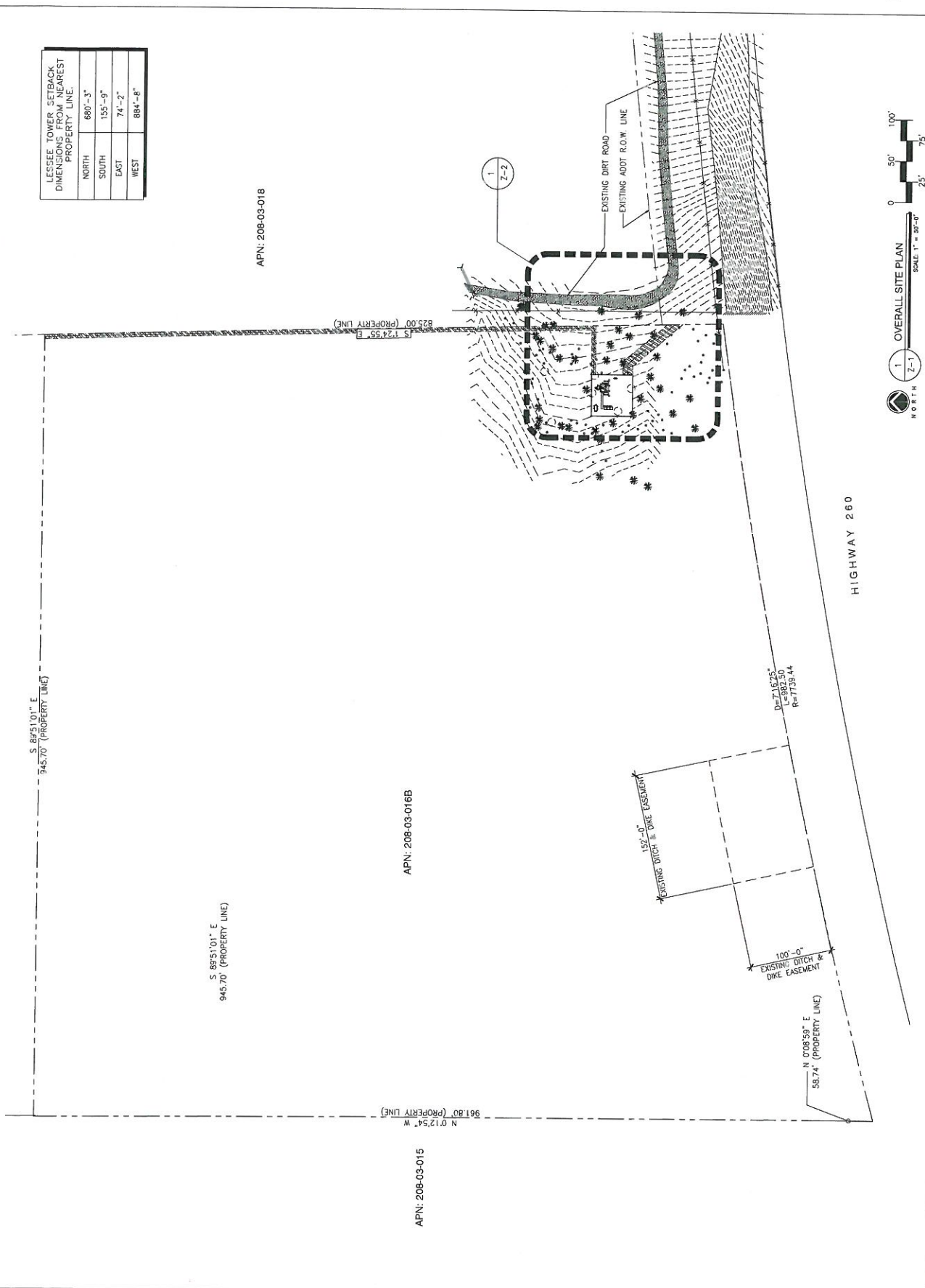
SITE NAME
CYLCONE/AZ3
HWY 260
AZ11-044

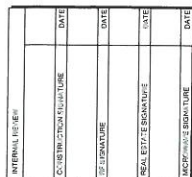
SITE ADDRESS
 161 CAMPERLAND RD.
 LAY SPRINGS, AZ 85923

SHEET TITLE
OVERALL SITE PLAN

STREET NUMBER

Z-1

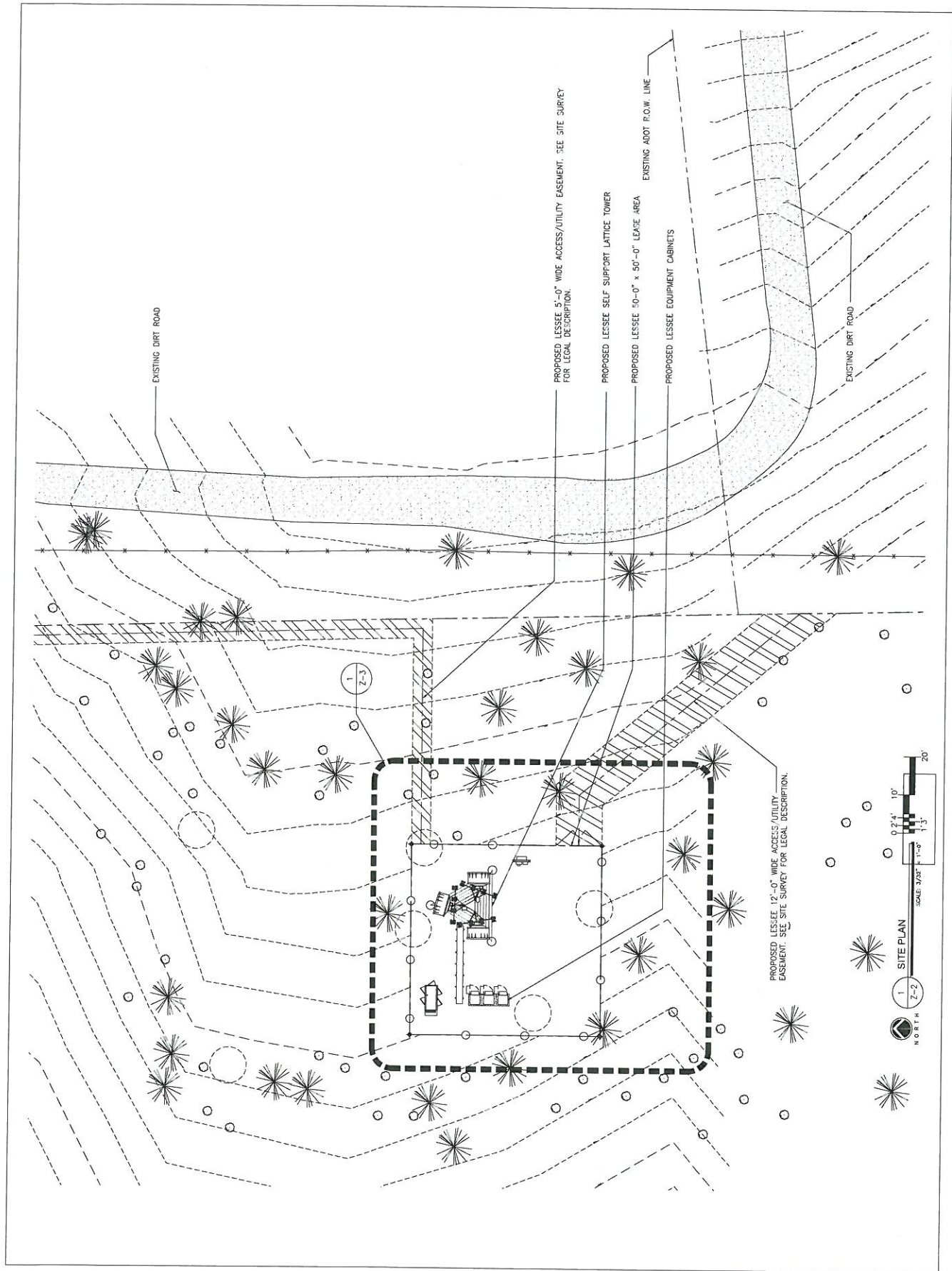


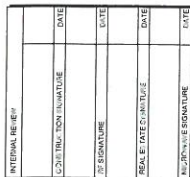


PROJECT NUMBER	DRAWN BY	CHECKED BY
4509	IVO	BK

SHEET NAME	CYLCONC/AZ3 HWY 260 AZ11-044	SHEET TITLE	WHITE PLAN
SHEET NUMBER		SHEET NUMBER	

N-2





PROJECT NUMBER	DATE	BY
4508	10/27/14	BK

REVISIONS	DATE	DESCRIPTION
1	08/28/14	ISSUE TO CLIENT
2	07/01/14	VALUE FOR SUBMITTAL
3	06/10/13	DESIGN CHANGE

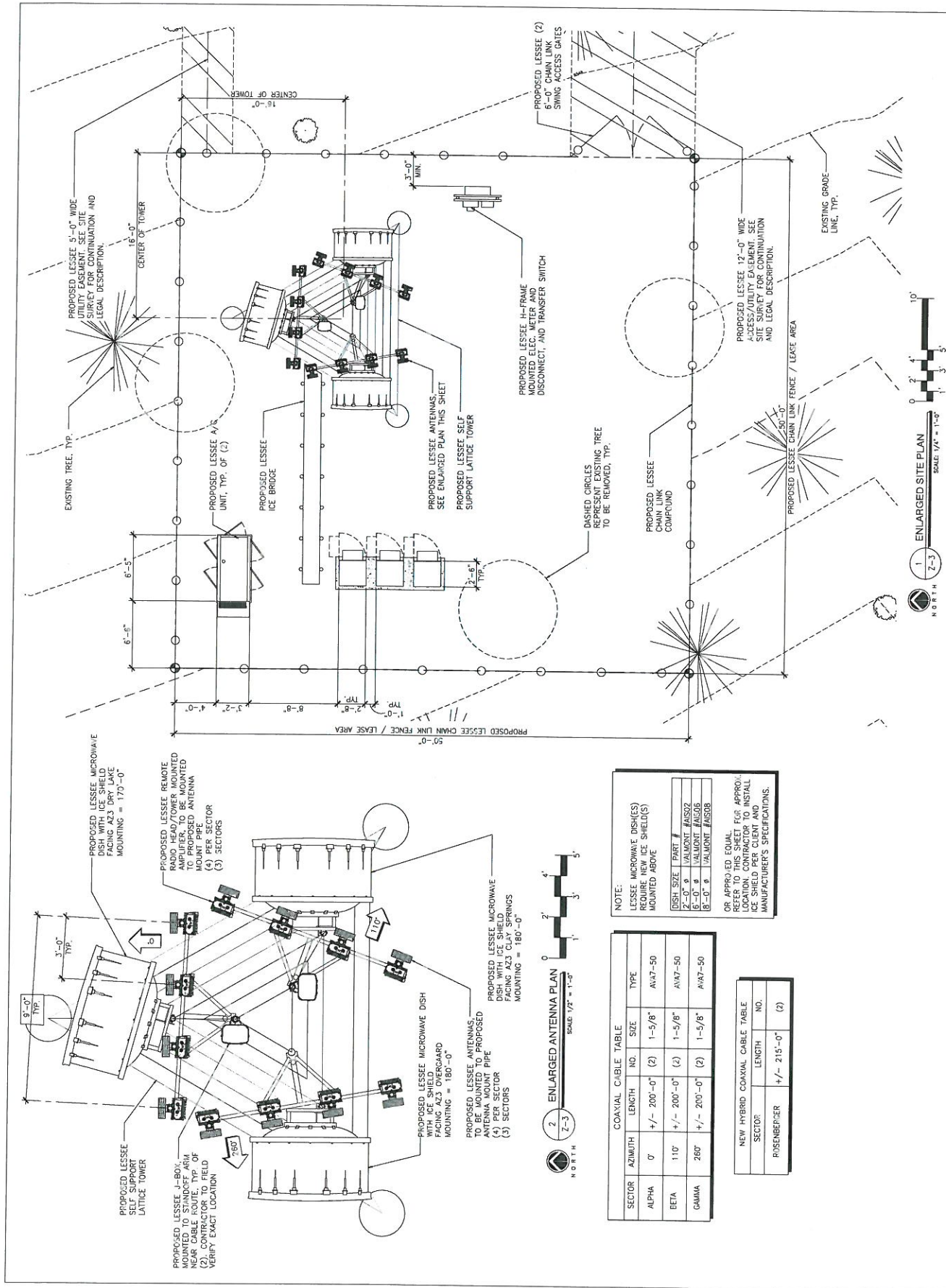
CYLCON®/AZ3
HWY 260
AZ11-044

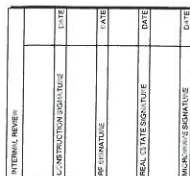
161 CAMPERLAND RD.
LAY SPRINGS, AZ 85923

SHEET TITLE

DEET NUMMER

3-N





PROJECT NUMBER	ISSUE NO.	ISSUE DATE	ISSUE BY
456	RD	BA	

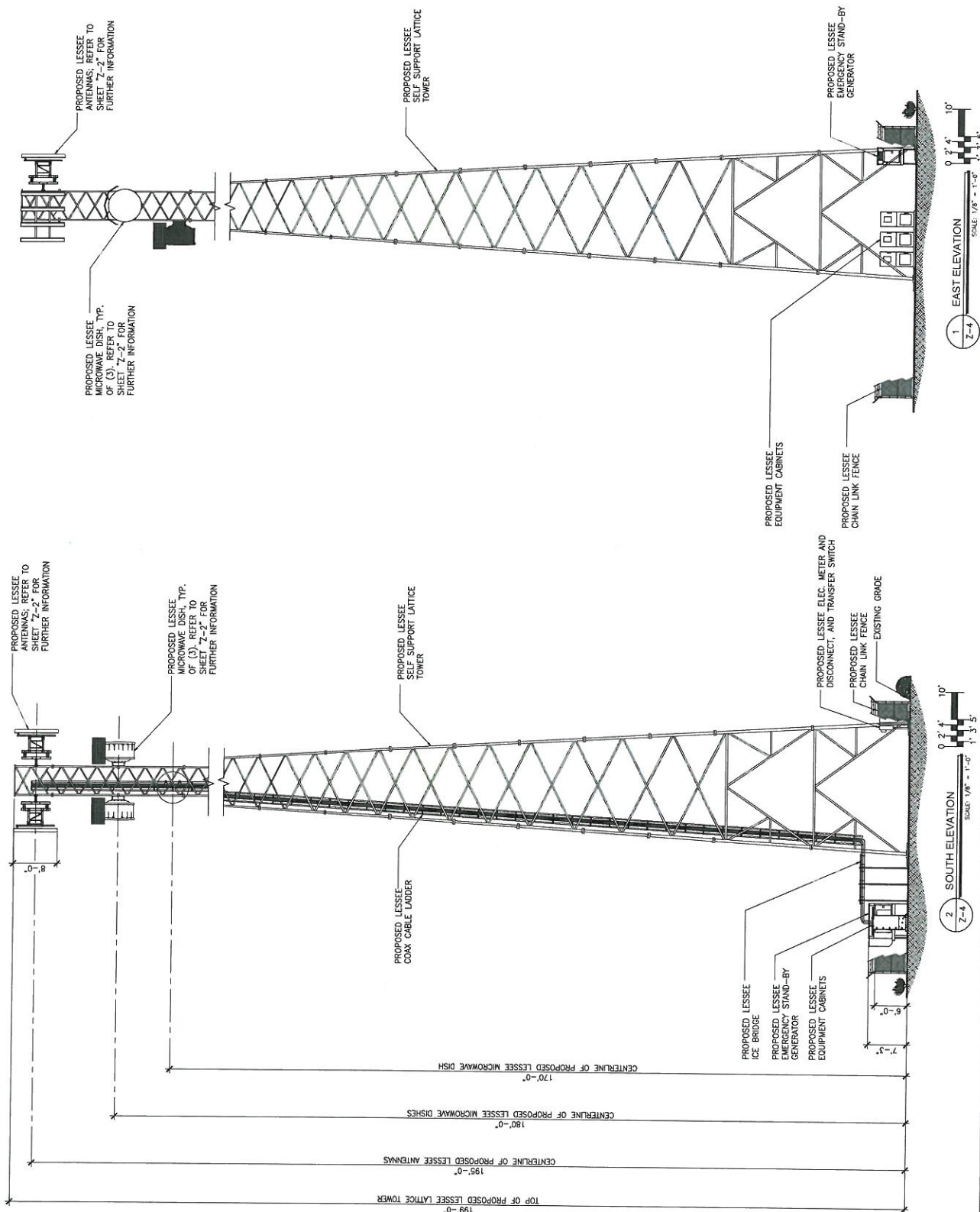
CYLCONE/AZ3
 HWY 260
 AZ11-044

161 CAMPERLAND RD.
LAY SPRINGS, AZ 85923

PROJECT TITLE

HEET NUMBER

Z-4



RESOLUTION NO. 15-12P

**A RESOLUTION OF THE NAVAJO COUNTY PLANNING &
ZONING COMMISSION RECOMMENDING DENIAL OF A
SPECIAL USE PERMIT FOR A CELLULAR TOWER**

WHEREAS, an application for a Special Use Permit was duly filed by Queen Creek LLC on behalf of Sun State Towers-Cyclone to construct a 199 foot lattice Cellular Tower; and

WHEREAS the application concerns the following real property in Navajo County: APN: 208-03-016B, a.k.a. a portion of Section 11, Township 18 North, Range 11 East of G&SRM in the Clay Springs area; and

WHEREAS, the applicant has the legal right to use the above described property according to the owner's affidavit, and a Ground Lease Agreement dated April 22, 2015; and

WHEREAS, the Planning & Zoning Commission, after considering the testimony and other evidence presented at the hearing as well as the recommendations of staff, finds that the Special Use Permit will not be consistent with the public health, safety and general welfare and should be denied.

NOW, THEREFORE, BE IT RESOLVED that the Planning & Zoning Commission hereby recommends **DENIAL** of the Special Use Permit.

BE IT FURTHER RESOLVED that the Secretary shall transmit this Resolution to the Navajo County Board of Supervisors as the recommendation of the Planning & Zoning Commission.

PASSED AND ADOPTED by the Planning & Zoning Commission by a vote of _____ yeas and _____ nays on August 20, 2015.

Chairman, Navajo County
Planning & Zoning Commission

ATTEST:

Secretary, Navajo County
Planning & Zoning Commission